

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 14364 of 2004

Between:

Ch. Shankaraiah, S/o Araiah,
Occ: Agriculture and Chairman, PIC, PACS,
Bijigiri Shariff, R/o Bijigiri Shariff, Jammikunta Mandal,
Karimnagar District.

..... PETITIONER

AND

- 1 The Primary Agricultural Cooperative Society Ltd,
Bijigiri Shariff, Jammikunta Mandal,
Karimnagar District, rep. by its Secretary.
- 2 The Deputy Registrar of Cooperative Societies/ Divisional
Cooperative Officer, Karimnagar, Karimnagar District.
- 3 The Joint Registrar of Cooperative Societies/ The District
Cooperative Officer, Karimnagar, Karimnagar District.
- 4 The Registrar of Cooperative Societies/ Commissioner for
Cooperation, Government of Andhra Pradesh, Gruhakalpa,
Hyderabad.
- 5 The Government of Andhra Pradesh, rep. by its Secretary,
Agriculture and Cooperation Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus; (i) declaring the orders issued by the 5th Respondent in G.O.Rt.No.606, Agriculture and Cooperation Department, dated 3-7-2004 directing to appoint official persons in charge committees in place of the elected managing committees of the Primary Agricultural Cooperative Societies and the consequential orders issued by the 2nd Respondent in Rc.No.488/2003-C, dated 12-7-2004 as illegal, arbitrary and unconstitutional apart from being violative of principles of

natural justice and against the mandatory provisions of Section 31 of A.P. Cooperative Societies Act and the Judgment of this Hon'ble Court in M. Rangareddy V. State of Andhra Pradesh and another, reported in AIR 1989 AP 81 and set aside the same; consequently; (ii) direct the 4th respondent to conduct elections to the Primary Agricultural Cooperative Society Ltd, Bijigiri Shariff Jammikunta Mandal, Karimnagar District; consequently (iii) direct the respondents to continue the petitioner as Chairperson of the Persons Incharge Committee of Primary Agricultural Cooperative Society Ltd, Bijigiri Shariff, Jammikunta Mandal, Karimnagar District till elections are held to it.

Counsel for the Petitioner: MR.NANDIGAM KRISHNA RAO

Counsel for the respondent No.1: None appeared.

Counsel for the Respondents 2 to 5 : GP FOR COOPERATION

The Court made the following ORDER:

ORDER:

It is represented that this matter is squarely covered by the judgment of this Court rendered in W.P.No.12116 of 2004 dated 08.11.2004.

Following the same and subject to the similar directions given therein, this writ petition is also dismissed. No costs.

B. Prakash Rao, J

26th November, 2004

ka

To

- 1 The Secretary, the Primary Agricultural Cooperative Society Ltd,
Bijigiri Shariff, Jammikunta Mandal,
Karimnagar District.
- 2 The Deputy Registrar of Cooperative Societies/ Divisional
Cooperative Officer, Karimnagar, Karimnagar District.
- 3 The Joint Registrar of Cooperative Societies/ The District
Cooperative Officer, Karimnagar, Karimnagar District.
- 4 The Registrar of Cooperative Societies/ Commissioner for
Cooperation, Government of Andhra Pradesh, Gruhakalpa,
Hyderabad.
- 5 The Secretary Government of Andhra Pradesh,
Agriculture and Cooperation Department, Secretariat,
Hyderabad.
- 6 Two CCs to G.P for Cooperation, High Court of A.P. Buildings, Hyderabad (OUT)
- 7 Two CD Copies